

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 14-27 are pending in this application. Claim 27 is herein added. Claims 14-22 and 26 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 2,693,165 to Appleman in view of U.S. patent 5,913,414 to Pollock et al. (herein “Pollock”). Claim 23 was rejected under 35 U.S.C. § 103 as unpatentable over Appleman and Pollock as applied to claim 22, and further in view of U.S. patent 3,421,474 to Demi. Claims 24 and 25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Appleman in view of Pollock as applied to claim 22, and further in view of U.S. patent 5,845,365 to Howie. Those rejections are traversed by the present response as now discussed.

Independent claim 14 is herein amended to clarify a feature of the “cap”, and now specifically recites “the cap forms a monoblock assembly with the integrated mechanical base”. That feature is believed to be clear for example from Figures 1 and 2 in the present specification showing the cap 22 as a monoblock assembly with the integrated mechanical base 21. That subject matter is also noted in the original specification at page 4, lines 1-2. Such a claim feature is believed to clearly distinguish over the applied art.

The outstanding rejection relies on Appleman to disclose a cap 50 made of a translucent or transparent material, and notes the cap covers the integrated mechanical base as shown in Figure 2.

In reply to that grounds for the rejection applicants note Appleman discloses element 50 as a light diffuser that does not form a monoblock assembly with an integrated mechanical base. Appleman specifically states “[t]he member 50 is supported within a metal retaining ring 52 which is held on a knob by a plurality of resilient tongues 54 engaging the surface

26.”¹ Applicants submit from such disclosures it is clear that the noted light-diffusing member 50 in Appleman does not “form a monoblock assembly with the integrated mechanical base”, as now recited in independent claim 14.

Moreover, applicants submit no disclosures in Pollock or either of the other cited art to Demi or Howie were cited with respect to the above-noted features for which Appleman was relied on, and applicants submit no disclosures in any of those further cited references to Pollock, Demi or Howie cure the above-discussed deficiencies in Appleman.

In view of the foregoing comments, applicants respectfully submit independent claim 14, and thereby the claims dependent therefrom, as currently written positively recites features neither taught nor suggested by Appleman in view of Pollock, and thus are allowable over that grounds for rejections.

The present response also adds new independent claim 27 for examination, which incorporates features from each of previously pending claims 14, 15, and 19. Applicants respectfully submit features recited in dependent claims 15 and 19 have not been fully considered, and thus those claims even further distinguish over the applied art, as discussed further below. In that respect new independent claim 27 recites:

wherein the mechanical base is of generally annular shape and includes on its underside at least one actuation member interacting with a mechanism,

wherein the handle further includes an angular position display pointer made of the same material as the integrated mechanical base and molded together therewith.

With respect to the features in previously pending dependent claim 15, and as now recited in new independent claim 27, the outstanding Office Action cited Figures 2 and 3 of

¹ Appleman at column 3, lines 10-13.

Appleman to disclose a mechanical base is of generally annular shape, and cited Figure 1 to disclose the use of at least one actuation member interacting with a mechanism.²

In reply to that grounds for the rejection applicants note the Office Action has not pointed to any specific element in Figure 1 of Appleman that would actually meet the limitations of the “at least one actuation member interacting with a mechanism”. Applicants submit Appleman does not in fact disclose or suggest such an element.

Further, with respect to the features recited in dependent claim 19, the outstanding Office Action merely cites to Figure 1 of Appleman, but does not point to any specific element in Figure 1 of Appleman that would correspond to the further claimed “angular position display pointer made of the same material as the integrated mechanical base and molded together therewith”.³ Applicants further traverse that rejection to dependent claim 19 and new independent claim 27 and submit Appleman does not disclose or suggest in Figure 1 such an “annular position display pointer made of the same material as the integrated mechanical base and molded together therewith”. Thereby, applicants respectfully submit dependent claim 19 and new independent claim 27 even further distinguish over the applied art.

In view of the present response applicants respectfully submit each of claims 14-26 as currently written is allowable over the applied art.

² Office Action of December 5, 2008, middle of page 3.

³ Office Action of December 5, 2008, page 4, first paragraph.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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